

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

AUTO OWNERS INSURANCE COMPANY,

Plaintiff,

v.

JOHN HAGLER, SUE HAGLER and RON  
MCCULLEY d/b/a Ron's Mobile Home Service,

Defendants.

Case No. 13-cv-884-JPG-PMF

**MEMORANDUM AND ORDER**

This matter comes before the Court on the plaintiff's motion to reinstate its claim against defendant Ron McCulley (Doc. 17). The Court dismissed McCulley from this case without prejudice because the plaintiff had not requested entry of default despite McCulley's failure to timely respond to the Complaint. The plaintiff represents that it need to have an active claim in order to settle with McCulley, and promises to request entry of default within ten days should the Court reinstate the claim against McCulley.

The Court **GRANTS** the motion (Doc. 17), **REINSTATES** the plaintiff's claims against McCulley, and **WARNS** the plaintiff that if it does not request entry of default within ten days of reinstatement of the claims, the Court may dismiss the claims against McCulley with prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b) and the Court's inherent authority to manage its docket. *See In re Bluestein & Co.*, 68 F.3d 1022, 1025 (7th Cir. 1995).

**IT IS SO ORDERED.**

**DATED: March 27, 2014**

s/J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**